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DEPARTMENT OF STATE

FOH 33-1 MEX-US
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Approved by U
5/27/63

Memorandum of Conversation

DATE: May 23, 1963
11:30 a.m.

SUBJECT: Salinity Problem on Lower Colorado River

PARTICIPANTS: The Acting Secretary, Mr. Ball
Antonio Carrillo Flores, Ambassador of Mexico
Mr. Martin, Assistant Secretary of State
Mr. Sayre, Acting Director, CMA

MAY 29 1963

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The Mexican Ambassador called at his request to present a note protesting the delivery of water to Mexico under the 1944 Water Treaty. (Note No. 2011 of May 17, 1963)

The Ambassador said he wanted to express the deep concern of his Government regarding the special study of the Bureau of Reclamation of February 1963 on the salinity problem. He said that he knew that the report had not been approved by the United States Government but that his Government was frankly disturbed about the recommendations in it.

The crux of the problem, the Ambassador said, was that the United States did not recognize any obligation to Mexico with respect to the manner in which it conducted irrigation operations in the United States which directly affected Mexico. He said that Mexico could not accept the position of the United States that it had no obligation to Mexico under the Treaty or international law. He considered that the United States was bound by the same legal principles with respect to Mexico that it applied internally with respect to the several states. He said Mexico could not accept a solution which did not recognize that Mexico had rights under the Treaty and international law. He considered a solution based only on comity and the view that the United States had to be a good neighbor was unsatisfactory.

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The Ambassador noted that if one of the States was being adversely affected it would have a remedy in the Supreme Court, or the State's representatives in Congress would look after the State's interests. Mexico, he noted, had no such representation, but he felt that Mexico had the right to expect that the United States Government would make every effort to treat Mexico as fairly as one of the several States.

The Acting Secretary said that the United States was very conscious of the salinity problem and that we had taken several preliminary steps to resolve it. He noted that it continued under active consideration within the United States Government.

The Mexican Ambassador said that he understood the United States' domestic and political problems which made it difficult to reach a solution but he thought that the United States Government had tied its hand by declaring that it had no obligation to Mexico. He hoped that the United States could present a fair proposal for a solution of the problem. He did not think that the United States should place arbitrary restrictions on the types of solution which might be considered such as the restrictions imposed by the Congress when it authorized the studies carried out by the Bureau of Reclamation.

Finally, the Ambassador desired to point out the political aspects of the problem for Mexico. He said that Mexico was entering a "political" period in which Mexico would have to choose a new President. He noted that the situation in Baja California was particularly sensitive because of radical groups in that area. He implied that unless a satisfactory solution could be achieved and a flare-up avoided in Baja California that the President would be under considerable pressure to select a candidate more acceptable to radical elements.

Mr. Martin noted the problem of obtaining agreement among the technicians as to the facts and to the effect of those facts on both the Mexicali Valley and the Wellton-Mohawk irrigation district. He said that the President's Science Adviser is actively engaged in the effort to develop a satisfactory solution.

The Acting Secretary said that the United States Government was very sympathetic to the problem presented by the Mexican Government and would continue its efforts to achieve a prompt and fair solution.

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